

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 L-03 JUSE-00 SS-15

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P 191732Z MAY 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 1099

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E.O. 11652: N/A

TAGS: EAIR, FR

SUBJECT: CIVAIR: INVESTIGATION OF ILLEGAL DISCOUNTING

REF: (A) PARIS 8071, (B) STATE 58723

1. WALTER A. RADELOFF, SPECIAL AGENT, BUREAU OF ENFORCEMENT, CIVIL AERONAUTICS BOARD, HAS ADVISED EMBASSY BY LETTER DATED MAY 7 OF HIS PLANS, ALONG WITH ASST US ATTORNEY RONALD E. DEPETRIS, TO "CONDUCT INTER-VIEWS" IN PARIS RE JOINT JUSTICE DEPT AND CAB INVESTIGATION OF AEROFLOT SOVIET AIRLINES FOR ILLEGAL REBATING PRACTICES. INTERVIEWS TO BE OF 15 WITNESSES, MOST RESIDING IN FRANCE AND PRESUMED TO BE FRENCH CITIZENS AS WELL AS ONE JAPANESE CITIZEN RESIDING IN PARIS AREA AND ONE ITALIAN RESIDING IN VERONA, WHO WERE PASSENGERS ON AEROFLOT FLIGHT SU-317 PARIS TO WASHINGTON-DULLES ON OCTOBER 25 AND NOVEMBER 1, 1974. THEY HAD BEEN QUESTIONED ON ARRIVAL DULLES BY CAB OFFICER; PURPOSE OF PROPOSED "SHORT" INTERVIEWS TO ASK ADDITIONAL QUESTIONS. RADELOFF SENT COPY OF LETTER TO JAMES MAGNOR IN EB/AV.

2. INTERVIEWS TO BE CONDUCTED WEEK OF JUNE 21 AT EMBASSY WITH EMBASSY PREVIOUSLY INVITING WITNESSES WITH LIMITED OFFICIAL USE

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FORM LETTERS ENCLOSED WITH RADELOFF LETTER. EMBASSY

REQUESTED TO MAKE FRENCH TRANSLATION TO BE SENT WITH FORM LETTER UNDER EMBASSY COVER LETTER TO EACH ADDRESSEE. IF WITNESSES UNABLE TO COME TO EMBASSY, ARRANGEMENTS TO BE MADE FOR TELEPHONE INTERVIEW.

3. WE ASSUME RADELOFF/DEPETRIS VISIT RELATED TO REF-TELS. REF A DESCRIBED PROCEDURES FOR TAKING DEPOSITIONS IN FRANCE, INCLUDING REQUIREMENT THAT ADVANCE AUTHORIZATION BE OBTAINED FROM FRENCH MINISTRY OF JUSTICE WHEN WITNESSES ARE FRENCH OR THIRD COUNTRY NATIONALS. ALTHOUGH RADELOFF/DEPETRIS APPARENTLY PLAN ONLY INFORMAL INTERVIEWS WITHOUT ADMINISTERING OATHS. WE BELIEVE FRENCH AUTHORITIES WILL TAKE DIM VIEW OF US GOVERNMENT AGENTS GATHERING EVIDENCE FROM FRENCH WITNESSES FOR OFFICIAL INVESTIGATIVE PURPOSES WITHOUT OBSERVING MODALITIES OF HAGUE CONVENTION OF 1970.

4. ALSO, AS PRACTICAL MATTER, WE DOUBT THAT MANY OF WITNESSES WILL BE INCLINED, HAVING ONCE BEEN INTERVIEWED UPON ARRIVAL OF ABOVE FLIGHTS IN US EIGHTEEN MONTHS AGO, TO TAKE TIME AND TROUBLE TO COME TO EMBASSY FOR FURTHER QUESTIONS.

5. IN LIGHT OF ABOVE, WE DO NOT PLAN TO ISSUE LETTERS OF INVITATION UNLESS 1) WE RECEIVE DEPARTMENT'S CONCURRENCE IN INFORMAL INTERVIEW PROCEDURE AND 2) WE GET FRENCH MINISTRY OF JUSTICE APPROVAL. FRENCH HAVE BEEN COOPERATIVE IN MATTERS OF TAKING EVIDENCE ABROAD AND WE WOULD NOT LIKE TO TAKE ANY ACTION WHICH MIGHT DISTURB THIS RELATIONSHIP WITHOUT GOOD REASON. NO APPROACH WILL BE MADE TO FRENCH AUTHORITIES UNTIL WE HAVE DEPARTMENT'S COMMENTS.

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